

Notice of Allowability

Application No.

10/695,926

Examiner

Camtu T. Nguyen

Applicant(s)

HESS, MICHAEL T.

Art Unit

3743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to april 20, 2004.
2. ☒ The allowed claim(s) is/are 16-22.
3. ☒ The drawings filed on 20 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Garrison on June 27, 2005.

The application has been amended as follows:

Cancel claims 1-15.

Allowable Subject Matter

Claims 16-22 are allowed.

The following is an examiner's statement of reasons for allowance: the art of record when considered alone or in combination neither renders obvious a device and a method for stabilizing a patient head on a spine board comprising:

- (a) a head harness having an anterior surface and an exterior surface;
- (b) the head harness further having a main panel, two side panels each extending laterally from the main panel such that one side panel extends from each side of the main panel, two attachment straps each extending laterally from the head harness, a support cushion on the interior surface of the main panel, and a skid plate on the exterior surface of the main panel;

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(c) each of the attachment straps being secured to the head harness and having a free end opposite of the main panel of the head harness;

(d) the skid plate having a plurality of runners having longitudinally along the lower surface of the skid plate and the runners being adapted for low friction engagement with a spine board;

(e) a forehead strap;

(f) a chin strap;

(g) a crown strap;

(h) a lateral stabilization strap;

(i) a layer of adhesive covering an area at the free end of the attachment straps on the lower surface of the attachment straps, the layer of adhesive having an easily removable protective cover such that the cover can be removed from the layer of adhesive on each attachment strap, and the ends of the attachment strap can be temporarily secured to a spine board by placing the adhesive material in contact with the spine board and applying pressure to the attachment strap;

(j) a portion of hook in loop material located in the interior surface of side panels and hook in loop material located on the surface of the forehead strap that will not be facing the forehead of a patient on a spine board, such that the hook in loop material on the interior surface of the side panels can be engaged with the hook and loop material on the forehead strap;

(k) a layer of adhesive material located on the surface of the forehead strap that will not be facing the forehead of a patient on a spine board, the layer of adhesive having an easily removable protective cover the cover can be removed from the layer of adhesive material and the

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forehead strap can be temporarily secured to a patient's forehead by firmly placing the adhesive material in contact with the patient's forehead;

(l) a portion of hook in loop material located on the exterior surface of the side panels and a portion of hook in loop material located at the ends of the chin strap on the surface of the chin strap that will be facing a patient on a spine board, such that the hook in loop material on the exterior surface of the side panels can be engaged with the hook in loop material on the chin strap;

(m) a portion hook in loop material located at the ends of the crown strap on the surface of the crown strap that will be facing a patient on a spine board, such that the hook in loop material on the lower surface of the side panels can be engaged with the hook in loop material on the crown strap;

(n) a portion of hook in loop material located on the surface of the lateral stabilization strap that will be facing a patient on the spine board, such that the hook in loop material on the lateral stabilization strap can be engaged with the hook in loop material on the forehead;

(o) a portion of the hook in loop material located at the ends of the lateral stabilization strap on the surface of the lateral stabilization strap that will be facing the forehead of a patient on a spine board and a portion of the hook in loop material located at the free end of the attachment straps on the upper surface of the attachment straps, such that the hook in loop material on the lateral stabilization strap can be engaged with the hook in loop material on the forehead strap;

whereby the a patient wearing a cervical collar, with a chin cup, is located on a spine board, the head harness is positioned under the patient and attached to the spine board, the

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forehead strap is secured to the patient's forehead and attached to the head harness, the chin strap is routed across the chin cup of the cervical collar and attached to the head harness, the crown harness, the crown strap is routed across the crown of the patient's head and attached to the head harness, and lateral stabilization strap is attached to the forehead strap and the attachment straps in the patient's head cannot move laterally or be elevated, but the patient's head can move longitudinally or rotated off the longitudinal axis in conjunction with the patient's body.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camtu T. Nguyen whose telephone number is 703-305-0537. The examiner can normally be reached on (M-F) 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry A. Bennett can be reached on 703-308-0101. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Camtu Nguyen
June 27, 2005



Henry Bennett
Supervisory Patent Examiner
Group 3700